



1AP7 Rec'd PCT/PTO 29 AUG 2006  
**MAIL STOP PCT**

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Docket No. 286249U32PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Dai KOBAYASHI, et al.

SERIAL NUMBER: 10/567,904

FILING DATE: February 10, 2006

FOR: PROBE FOR PROBE MICROSCOPE USING TRANSPARENT SUBSTRATE,  
METHOD OF PRODUCING THE SAME, AND PROBE MICROSCOPE DEVICE

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371**

COMMISSIONER FOR PATENTS  
BOX PCT  
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated **July 19, 2006**, and in accordance with the provisions of 35 USC 371, Applicants submit herewith a Rule 63 Declaration, a copy of the English translation of the Specification, and the Case Specific Power of Attorney.

Although the notification indicates that additional fees in the amount of \$300 are due, applicants submit that following the amendment under Article 34, 21 claims are present in the application (2 independent claims and 19 dependent claims). Therefore, the additional fee of \$50.00 is being submitted herewith.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our payment in the amount of \$50.00 is paid herewith by credit card. If any difference exists between the amount due and the amount being paid herewith, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

09/01/2006 LLANDGRA 00000011 10567904

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50.00 DP

Respectfully Submitted,

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/567,904	FIRST NAMED APPLICANT Dai Kobayashi	ATTY. DOCKET NO. 286249US2PCT
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INTERNATIONAL APPLICATION NO.

PCT/JP04/11351

I.A. FILING DATE

08/06/2004

PRIORITY DATE

08/11/2003

22850

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
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RECEIVED: 8/1/06  
OBLON, SPIVAK, MCCLELLAND  
MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: 8/8/06

Type of Resp(s): REG/FE

Due Date(s): 9/19/06

CONFIRMATION NO. 7268

371 FORMALITIES LETTER



\*OC00000019659307\*

Date Mailed: 07/19/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/10/2006
- English Translation of the IA filed on 02/10/2006
- Copy of the International Search Report filed on 02/10/2006
- Preliminary Amendments filed on 02/10/2006
- Information Disclosure Statements filed on 05/04/2006
- Request for Immediate Examination filed on 02/10/2006
- U.S. Basic National Fees filed on 02/10/2006
- Priority Documents filed on 02/10/2006

**RECEIVED**  
JUL 24 2006  
McDermott Will & Emery LLP  
DC Office

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$300 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$300 for a Large Entity:

- Total additional claim fee(s) for this application is \$ 300

- \$300 for 6 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/567,904	PCT/JP04/11351	286249US2PCT